

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 1-10 and 12-20 are pending in the application. Claim 1 has been amended to improve claim language. Amended claim 1 finds support in the original drawings and page 8, lines 12-16 of the specification. Claims 7, 9 and 12 have been amended to better define the claimed invention. New claims 14-20 have been added to provide Applicants with the scope of protection to which they are believed entitled. The brief description of the drawings has been revised to be consistent with the rest of the specification and the drawings. FIG. 6 has been amended to include a legend --Prior Art--. No new matter has been introduced through the foregoing amendments.

The Examiner's Response to Applicants' Arguments presented in paragraph 3 of the Office Action is noted.

Applicants respectfully disagree with the Examiner's argument presented in page 3, the third paragraph. The Examiner's attention is respectfully directed to the attached Exhibit A which clearly shows, by bold arrows, that the flow directions in the applied references are not substantially perpendicular in the presently claimed manner.

Applicants respectfully disagree with the Examiner's argument presented in the paragraph bridging pages 3-4. The Examiner's attention is respectfully directed to the attached Exhibit B which shows first, second and third chambers of *Takesita* in yellow, green and blue, respectively. In FIG. 1 of Exhibit B, the third chamber is communicated with the second chamber by two passages 22 and HP as argued by the Examiner. However, *Takesita* so interpreted then lacks the claimed second opening communicating the first chamber and the second chamber. In FIG. 2 of Exhibit B, the second opening is 22. However, the third chamber is then communicated with the

second chamber only by one passage, i.e., HP. Accordingly, Applicants respectfully submit that *Takesita* fails to teach or disclose the invention of claim 7.

Applicants respectfully disagree with the Examiner's statements in page 4, the first and second full paragraphs. The Examiner's attention is respectfully directed to the Amendment filed January 28, 2003, page 5, lines 9-13 from bottom and page 6, lines 7-10, where Applicants specifically pointed out how the language of at least independent claim 7 patentably distinguishes the claim from the applied references, in compliance with Rule 111(b), and clearly pointed out the patentable novelty which Applicants think at least independent claim 7 presents in view of the applied art, in compliance with Rule 111(c).

FIG. 6 has been amended in the manner kindly suggested by the Examiner in paragraph 4 of the Office Action. Withdrawal of the drawing objection is believed appropriate and therefore courteously solicited.

Claims 7 and 12 have been amended in the manner kindly suggested by the Examiner in paragraph 6 of the Office Action. Withdrawal of the claim objection is believed appropriate and therefore courteously solicited.

The 35 U.S.C. 102(b) rejection of claims 7-9, 12 and 13 as being anticipated by *Takesita* is traversed because the reference fails to teach or disclose each and every element of the rejected claims, especially "a second direction **substantially perpendicular** to the first direction" and "a **pair** of passages configured to allow fluid communication between the second chamber and the third chamber" recited in independent claim 7, as discussed above.

As to claim 9, *Takesita*, as interpreted by the Examiner in Attachment A to the Office Action, fails to teach or disclose "a **door** configured to adjust the degree of opening of the first and second openings." As can be seen in Fig. 1 of Exhibit B, *Takesita* as interpreted by the Examiner in Attachment A to the Office Action lacks (i) a door between the first and third chambers, and (ii) a

second opening communicating the first and second chambers.

The 35 U.S.C. 102(b) rejection of claims 7-10 and 12-13 as being anticipated by *Bendell* is traversed because the reference fails to teach or disclose each and every element of the rejected claims, especially “a second direction **substantially perpendicular** to the first direction” recited in independent claim 7, as illustrated in Exhibit A.

New claim 14 depends from claim 7 and is not anticipated by the applied references for the reasons advanced with respect to claim 7. New claim 14 also defines over the references because the references fail to teach or disclose side blowing passages that extend **along opposite sides** of said second heat exchanger **in a third direction substantially opposite to the second direction**, whereby the heat exchanged air having passed through said second heat exchanger in the second direction is led in the third direction to said third chamber. See the phantom line in FIG. 3, and FIG. 5 of the instant application. None of the applied references disclose, teach or suggest side blowing passages that extend along opposite sides of the second heat exchanger as presently claimed. In *Takesita*, the second and third directions appear to be at an angle of about 90 degree. In *Bendell*, the second and third directions are about the same.

New independent claim 15 is patentable over *Takesita* and *Bendell* because the references fail to disclose, teach or suggest “a door for adjusting degrees of opening of both said first and second openings, said door being **slidable** along a portion of said partition member between a first position in which said door completely closes said first opening and opens said second opening, a second position in which said door completely closes said second opening and opens said first opening, and at least one intermediate position in which said door partially opens both said first and second openings.” New claim 15 finds solid support in the original specification and drawings, especially FIGs. 1, 3 and 4. The doors in *Takesita* (element 22) and *Bendell* (element 37 or 35) are not slidable along the respective partition member (element 18b of *Takesita* and element 24 of *Bendell*).

Claims 16-20 depend from claim 15, and are considered patentable at least for the reason advanced with respect to claim 15. Claims 16-20 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

As to claims 16-17, the references fail to disclose, teach or suggest the claimed door and portion of said partition member that describe **circular** curves.

As to claim 18, the references also fail to disclose, teach or suggest the claimed substantially **concentric circular** curves.

As to claim 19, see the discussion of claim 14.

As to claim 20, see the discussion of claim 7.

Claims 1-6 should be allowed as indicated in paragraph 10 of the Office Action.

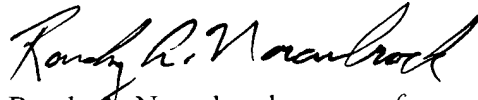
Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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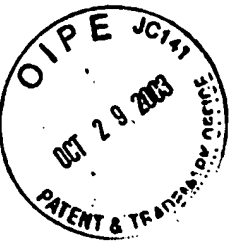


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	Presnent invention	Takesita et al.	Bendell
Representative Drawing			
Perpendicular Flow	O	x	x

Exhibit A

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U.S. Patent

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Exhibit B

FIG.1

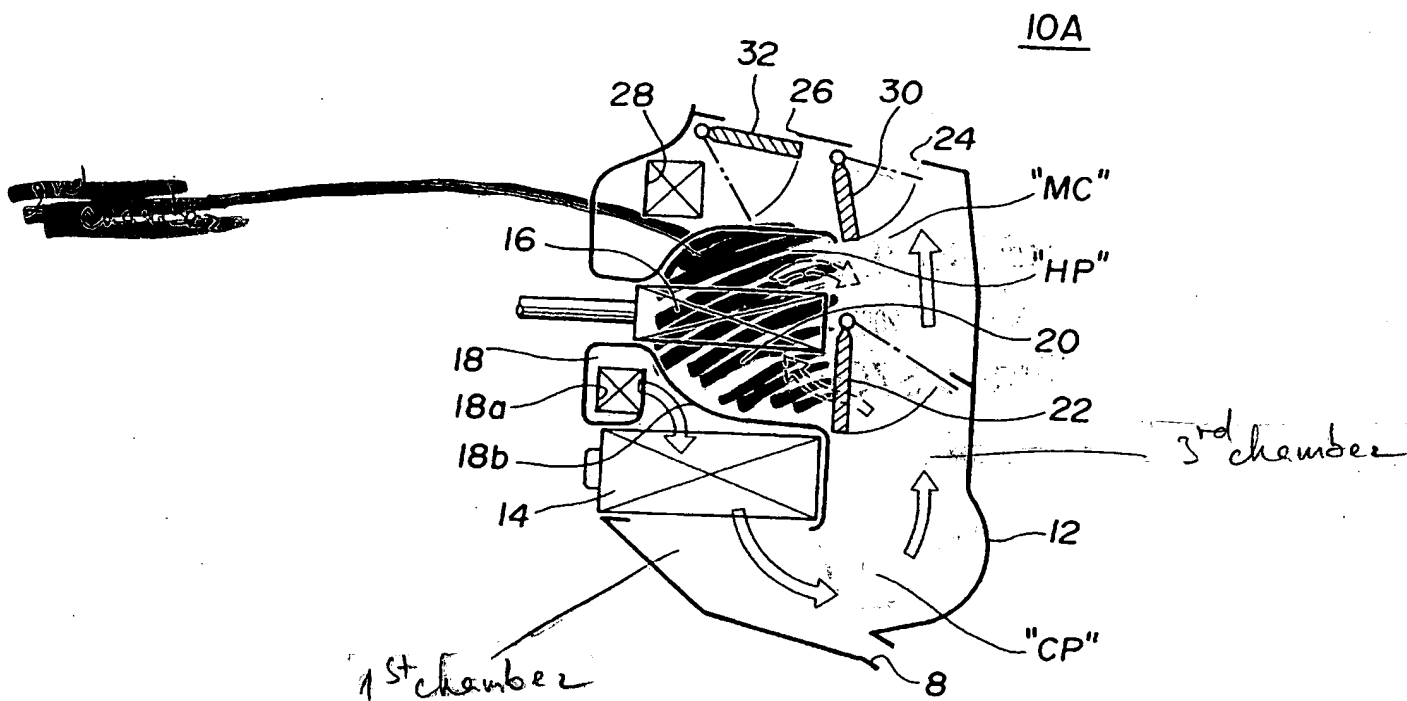


FIG.2

